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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/718,657

11/24/2003

Howard Tilford

3008-1039

1175

466

7590

07/25/2006

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EXAMINER

ST CYR, DANIEL

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/718,657

Applicant(s)

TILFORD, HOWARD

Examiner

Daniel St.Cyr

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>11/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kublick, US Pub. 2002/0038166.

Kublick discloses a self-service system for processing library materials comprising: a self serve apparatus 10 for processing library materials which includes a body 12 with a passage 14 for receiving library materials 16 extending through body 12, the passage 14 has an inlet end 18 and an outlet end 20; a motor assembly 22 is provided to convey library materials 16 along passage 14 from inlet end 18 to outlet end 20; sensors 24 are provided along passage 14 which sense when library materials 16 have been placed in inlet end 18 of passage 14, the sensors 24 then signal and activate motor assembly 22 to convey library material 16 toward outlet end 20 of passage 14 and deactivate motor assembly 22 after library materials 16 have exited passage 14 through outlet end 20; the outlet end 20 of passage 14 discharges library materials 16 into a security enclosure to which the public does not have access; a user identification input device 26 is provided on body 12, whereby a user is identified, the user identification input device 26 is

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card reader which is adapted to read assorted types of patron cards 28 such as read magnetic cards, barcode cards, chip cards and RFID cards. (see paragraph 16 and 47-68).

Kublick discloses a security enclosure to discharge materials to which the public does not have access to during borrowing transaction, but fails to disclose or fairly suggests any enclosure for holding materials that have been put on hold by other customers. However, during return transactions, Kublick discloses containers for holding returned materials that have been on hold by other customers.

It would have been obvious for a person of ordinary skill in the art at the time the invention was made to modify the system of Kublick to also include storage devices for storing materials determined to be on hold during borrowing transaction. Such modification would provide greater customer satisfaction wherein reserved materials would not be allowed to check out by other customers. With respect to the specific construction of the movable means (movable floor), how the materials are ejected to the security/holding enclosure, these limitations are just merely engineering design choice for meeting specific customer requirements, failing to provide any unexpected results. With respect to providing security gate, notice is taken that it is very common in the art to provide security gates during self-service transactions for preventing individual from taking unauthorized items from the facility. A skill artisan would have been motivated to implement such security gate to provide additional security. Therefore, it would have been an obvious extension as taught by Kublick.

Conclusion

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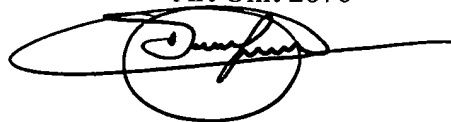
4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bowers et al, US Patent No. 5,963,134. Larson et al, US Patent No. 6,542,070. Frich, US Patent No. 6,944,252.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel St.Cyr whose telephone number is 571-272-2407. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daniel St.Cyr
Primary Examiner
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A handwritten signature in black ink, appearing to read 'Daniel St.Cyr', is written over a circular stamp. The signature is fluid and cursive.

DS
July 21, 2006